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EXAMINER

JEAN GILLES, JUDE

ART UNIT PAPER NUMBER

2143

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/998,324

Applicant(s)

KETOLA ET AL.

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____



DETAILED ACTION

This Action is in regards to the Reply received on 01/10/2006.

Response to RCE

1. This action is responsive to the RCE application filed on 01/10/2006. Claims 1 and 17 were amended. Claims 11 and 27 are canceled. Claims 1-10, and 12-27 are pending. Claims 1-10, and 12-27 represent a method and system for "implementing supervision in a telecommunication system". Applicant's arguments with respect to claims 1, and 17 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground of rejection as explained here below (i.e., a method and system for implementing supervision in a telecommunication system wherein the supervision block performing a supervision task determines the address of the supervision center via a name service).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-10, and 12-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pattison et al (Pattison), Patent No. 6,058,163 in view of Herriot (Herriot) U.S. Patent No. 5,862,331.

Regarding claim 1: Pattison discloses the invention substantially as claimed.

Pattison teaches a method for automatically configuring supervision and performing supervision in a supervision system (*fig. 1; column 4, lines 23-63*) comprising:

a supervision center (1) (*column 4, lines 23-63; note that the automatic scheduling and monitoring system is built around the environment item 10 of figure 1*);

a supervision block (2) which contains processes performing supervision tasks (*fig. 1, item 34; fig. 5, item 164; column 4, lines 52-65*),

said method comprising the steps of:

monitoring and/or controlling via the supervision center (1) the supervision block (2) processes performing supervision tasks (*column 4, lines 23-63; column 5, lines 27-52*), characterized in that the method comprises the following steps:

the processes performing supervision tasks in the supervision block (2) of the supervision system and/or the objects monitored by them are registered in the supervision center (1) automatically as the processes in the supervision block (2) become ready for operation (*column 4, lines 52-65; column 5, lines 1-52*); and

information about the processes in the supervision block (2) and/or about the services produced by them and/or about the objects monitored is saved in the supervision center (1) in conjunction with the registration (*column 8, lines 1-47*);

However, Pattison does not teach the details of the supervision block performing a supervision task determines the address of the supervision center via a name service.

In the same field of endeavor, Herriot discloses an All of the hosts and workstations have network addresses which are stored in a map by the name service.

The name service may be implemented preferably in the name service sold by Sun Microsystems, Inc. under the label "NIS". This name service program resides on the master host H1 107, and the map may be represented as a bi-column table including the name of each host and workstation and the corresponding network address."

[see Herriot; column 4, lines 29-38].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Herriot's teachings of using programs to determine the address of the supervision center via a name service with the teachings of Pattison, for the purpose of improving the ability of a network "...to *provide dynamic behavior to a static name service*" as stated by Herriot in lines 20-22 of column 3. By this rationale, **claim 1** is rejected.

Regarding **claim 2**, The combination Pattison-Herriot discloses the method as defined in claim 1, characterized in that the supervision system is a telephone switching system (see Pattison; column 4, *lines 23-36; fig. 1, item 10*).

Regarding **claim 3**, The combination Pattison-Herriot discloses the method as defined in claim 1 or 2, characterized in that a supervision block (2) process performing supervision tasks comprises a communication interface (3) through which operational commands are received from the supervision center (1)(see Pattison; column 12, *lines 35-59*).

Regarding **claim 4**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-3, characterized in that the state of a registered

supervision block (2) process performing a supervision task is checked before an action request is sent to it (see Pattison; column 4, *lines 63-67; column 5, lines 1-53*).

Regarding **claim 5**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-4, characterized in that the supervision center (1) comprises a user interface (4) via which the supervision center (1) and/or the supervision block (2) processes performing supervision tasks are controlled (*fig. 1, items 12, and 30; column 4, lines 37-51*).

Regarding **claim 6**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-5, characterized in that the supervision center (1) comprises an interface (5) for receiving the registration data when supervision block (2) processes performing supervision tasks are registered in the supervision center (1) (see Pattison; column 4, *lines 63-67; column 5, lines 1-65*).

Regarding **claim 7**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-6, characterized in that the result of the supervision block (2) process performing a supervision task is sent to the supervision center (1) (see Pattison; column 7, *lines 15-65*).

Regarding **claim 8**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-7, characterized in that the registrations of the supervision block (2) processes are stored in a supervision file in the supervision center (1) (see Pattison; column 6, *lines 58-67*).

Regarding **claim 9**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-8, characterized in that the operation of the supervision

block (2) process performing a supervision task is verified in conjunction with the registration and an alarm is issued if the supervision block (2) process performing a supervision task does not produce a response to a test command (see Pattison; column 26, lines 13-62; column 12, lines 35-60).

Regarding **claim 10**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-9, characterized in that an alarm is issued if the response produced by the supervision block (2) process performing a supervision task is inaccurate; and/or no supervision block (2) processes performing supervision tasks are registered at all; and/or the number of test cases in the supervision file is lower after a restart of the system (see Pattison; column 26, lines 13-62; column 28, lines 2-60).

Regarding **claim 12**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-11, characterized in that the supervision file contains the address and/or identifier and/or test parameters and/or initial values of test parameters of the supervision block (2) process performing a supervision task and/or other information (see Pattison; column 28, lines 2-60).

Regarding **claim 13**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-12, characterized in that a registering supervision block (2) process performing a supervision task contains one or more objects of monitoring (see Pattison; column 11, lines 6-30).

Regarding **claim 14**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-13, characterized in that a supervision block (2) process performing a supervision task that impairs the normal operation of the telephone

switching center shall not register in the supervision center (1) (see Pattison; column 16, *lines 17-67*).

Regarding **claim 15**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-14, characterized in that the supervision system comprises one or more supervision centers (1) in operation (see Pattison; column 4, *lines 23-63*).

Regarding **claim 16**, The combination Pattison-Herriot discloses the method as defined in any one of claims 1-15, characterized in that the supervision block (2) process performing a supervision task and/or the maintenance of the monitoring object of the process are/is discontinued and the respective entry is deleted from the supervision file (see Pattison; column 2, *lines 42-65*).

Regarding **claim 17**, The combination Pattison-Herriot discloses a System for automatically configuring supervision and performing supervision in a supervision system (*fig. 1; column 4, lines 23-63*) comprising:

a supervision center (1) (see Pattison; column 4, *lines 23-63; note that the automatic scheduling and monitoring system is built around the environment item 10 of figure 1*);

a supervision block (2) which contains processes performing supervision tasks(*fig. 1, item 34; fig. 5, item 164; column 4, lines 52-65*),

which method comprises the steps of:

monitoring and/or controlling via the supervision center (1) the supervision block (2) processes performing supervision tasks (see Pattison; column 4, *lines 23-63; column 5, lines 27-52*),

characterized in that the system comprises:

means (6) for automatically registering in the supervision center (1) the objects monitored by the supervision block (2) processes performing tasks of supervision of the operation of the supervision system (see Pattison; column 4, *lines 52-65; column 5, lines 1-52*); and

means (7) for saving information relating to the processes performing supervision tasks and/or to the services produced by them in the supervision center (1) in conjunction with registration (see Pattison; column 8, *lines 1-47*).

means for determining the address of the supervision center via a name service [see Herriot; column 4, *lines 29-38*].

Regarding **claim 22**, The combination Pattison-Herriot discloses the system as defined in any one of claims 17-21, characterized in that the system comprises means (11) for receiving the registrations of supervision block (2) processes performing supervision tasks via an interface (5) (*fig. 1, item 14; column 4, lines 23-64*).

Regarding **claim 23**, The combination Pattison-Herriot discloses the system as defined in any one of claims 17-22, characterized in that the system comprises means (12) for sending the result of the supervision block (2) process performing a supervision task to the supervision center (1) (see Pattison; column 7, *lines 15-65*).

Regarding **claim 26**, The combination Pattison-Herriot discloses the system as defined in any one of claims 17-25, characterized in that the system comprises means (16) for analyzing the results associated with the processes performing supervision tasks (see Pattison; column 1, lines 65-67; column 2, lines 1-36).

Claim 18 list all the same elements of **claim 2**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 2** applies equally as well to **claim 18**.

Claim 19 list all the same elements of **claim 9**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 9** applies equally as well to **claim 19**.

Claim 20 list all the same elements of **claim 4**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 4** applies equally as well to **claim 20**.

Claim 21 list all the same elements of **claim 3**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 3** applies equally as well to **claim 21**.

Claim 24 list all the same elements of **claim 8**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 8** applies equally as well to **claim 24**.

Claim 28 list all the same elements of **claim 15**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 15** applies equally as well to **claim 28**.

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Claim 29 list all the same elements of **claim 16**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 16** applies equally as well to **claim 29**.

Claim 25 is substantially the same as **claim 10**, and is thus rejected for reasons similar to those in rejecting **claim 10**.

Conclusion

4. Accordingly, **THIS ACTION IS MADE NON-FINAL**. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles

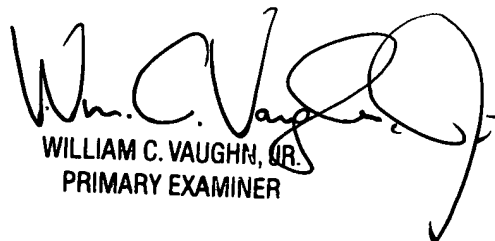
Patent Examiner

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JJG



March 30, 2006



WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER